

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

FRED HANEY,
et al.,

Plaintiffs,

v.

Civil Action No. 3:22-cv-55

GENWORTH LIFE INSURANCE
CO., et al.,

Defendants.

ORDER

Having considered Gary Davis's MOTION FOR LEAVE TO CALL KATHRYN DIMIDUK AS A WITNESS BY WAY OF ZOOM AT THE FAIRNESS HEARING ON DECEMBER 13, 2022 (ECF No. 113) and the JOINT RESPONSE TO GARY DAVIS'S MOTION FOR LEAVE TO CALL KATHRYN DIMIDUK AS A WITNESS BY WAY OF ZOOM AT THE FINAL APPROVAL HEARING ON DECEMBER 13, 2022 (ECF No. 116), and that the parties do not oppose the Motion, it is hereby ORDERED that:

(1) The MOTION FOR LEAVE TO CALL KATHRYN DIMIDUK AS A WITNESS BY WAY OF ZOOM AT THE FAIRNESS HEARING ON DECEMBER 13, 2022 (ECF No. 113) is GRANTED, and Kathryn Dimiduk may be called as a witness and testify by Zoom; and

(2) By 5:00PM on December 9, 2022, Davis will provide notice to the parties on what testimony Dimiduk is expected to offer at the hearing; and

(3) The Court believes that it is unnecessary that Davis provide notice on whether he represents Dimiduk and whether separate or additional counsel represents the two because it appears that Davis does not represent Dimiduk and neither are represented by outside counsel. If this is not the case, Davis shall file a notice that correct the Court's statement on the matter.

A copy of this Order will be provided via e-mail to Davis.

It is so ORDERED.

_____/s/ *REP*_____
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: December 8, 2022